

APP NO: 20170002  
PERMIT NO: \_\_\_\_\_

LEASE: 3426010  
FILED: 08/08/17

APPLICATION FOR  
ALTERNATIVE OYSTER CULTURE PERMIT

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

New Orleans, Louisiana

Name of Applicant: Jason Pitre Bayou Rosa Oyster Farm LLC  
Address of Applicant: 130 Rue De Chene, Raceland, LA 70394  
Commercial License: 475968 Harvester License: 475972  
Surety Bond No.: \_\_\_\_\_ Contractors License: ~~1568~~ 15628

Transferred Date: ____/____/____	Name: _____ Address: _____ _____
Transferred Date: ____/____/____	Name: _____ Address: _____ _____
Transferred Date: ____/____/____	Name: _____ Address: _____ _____

Cancelled ____/____/____	Reinstated ____/____/____	Cancelled ____/____/____	Reinstated ____/____/____
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Cancelled ____/____/____	Reinstated ____/____/____	Cancelled ____/____/____	Reinstated ____/____/____

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned herewith applies for a permit to conduct alternative oyster culture activity for a period of ten (10) years from the acceptance of this application and issuance of the permit or until the termination of State of Louisiana oyster lease number \_\_\_\_\_ (including any renewal thereof), whichever occurs first, with an annual rental fee of Two and No/100 Dollars (\$2.00) per acre payable upon receipt of the permit and thereafter annually on or before the first day of January until the termination of the permit, on State water bottoms measuring \_\_\_\_\_ acres, more or less, located in the Parish of \_\_\_\_\_ and more particularly described as follows:

An application fee \$100.00 dollars is paid herewith.

The undersigned prays that this application be registered, that a permit be issued to Applicant, which permit, issued by the Louisiana Department of Wildlife and Fisheries, will be considered as an acceptance of this application and a completion and execution of the contract.

This application is made and the permit is to be issued subject to the provisions of Louisiana Revised Statutes 56:421-449 and the rules and regulations of the said Department, specifically including but not limited to Louisiana Revised Statutes 56:431.2 and Louisiana Administrative Code 76:VII.535, and Applicant hereby agrees to pay said Department for services in connection herewith in accordance with the scale of charges printed and herein mentioned.

The undersigned certifies that Applicant is qualified under law to receive the requested permit to conduct alternative oyster culture; and that Applicant has taken cognizance of the statutes, rules, and regulations identified herein and makes them a part of this application, as they may be amended from time to time.

The undersigned further certifies that:

a. If Applicant is not a natural person, the person signing this application is duly authorized to do so on behalf of Applicant.

b. Applicant is the holder of State of Louisiana oyster lease number 342 6010 covering state water bottoms; and that this is the lease upon which Applicant seeks a permit to conduct alternative oyster culture activities.

c. The alternative oyster culture activities that Applicant seeks to conduct are:

- 500 On-bottom cages, racks, or bags
- 200 Off-bottom cages, racks, or bags, suspended by poles or floats
- \_\_\_\_\_ String or longline culture
- \_\_\_\_\_ Other (describe): \_\_\_\_\_

d. The equipment or gear that Applicants seeks to use, and the quantities thereof are:

PVC Coated mesh Cages. 500 Cages sitting on bottom and  
200 cages floating

e. The facilities (items other than equipment or gear) that Applicant seeks to use are:

None

f. Applicant has not been convicted of or pled guilty to a class 4 or greater oyster-related violation, as defined in the laws pertaining to wildlife and fisheries, within three years prior to the submission of the application.

g. A cost estimate to remove and properly dispose of all equipment, facilities and other items sought to be permitted, prepared by a contractor that has a valid Louisiana Commercial Contractor License for the classification of Heavy Construction or Coastal Restoration and Habitat Enhancement, and has no familial or business relationship with the Applicant has been obtained and supplied to the Louisiana Department of Wildlife and Fisheries.

h. All other local, state, and federal permits necessary for the activity sought to be permitted, or documentation from the relevant agencies establishing that such permits are unnecessary, have been obtained and supplied to the Louisiana Department of Wildlife and Fisheries, specifically including:

1. State coastal use permit (R.S. 49:214.30).
2. Federal obstruction to navigation section 10 (33 U.S.C. §403) and/or section 9 (33 U.S.C §401) permit.
3. Clean Water Act section 404 fill permit (33 U.S.C. §1344).
4. State water quality certification (33 U.S.C. §1341).
5. Any other permit or authorization that may be required by a state or federal agency for the AOC activity sought to be permitted.

Name: Sign: Jason Pitre  
Print: Jason Pitre

Telephone No. \_\_\_\_\_

Address:

130 Rue de Chene  
Raceland, LA 70394

## CONDITIONS

1. This permit is terminable by the Department of Wildlife and Fisheries (the "Department") upon significant or repeated violation of the permit or any applicable statutes, rules, or regulations by the permittee or anyone authorized by the permittee to engage in alternative oyster culture ("AOC") activities on the permitted area.

2. The permittee hereby indemnifies and holds harmless the State of Louisiana, political subdivisions of the state, the United States, and any agency, agent, contractor, or employee thereof against and from any claim arising as a result of operations by or for the permittee pursuant to this permit.

3. The permittee and anyone using this permit hereby holds the State of Louisiana, political subdivisions of the state, the United States, and any agency, agent, contractor, or employee thereof harmless from any claims arising under or as a result of the issuance of this permit in relation to diversions of fresh water or sediment, dredging or direct placement of dredged or other materials, any other actions taken for the purpose of integrated coastal protection, or adverse effects on water quality, including but not limited to increased sedimentation or eutrophication or fluctuations in salinity or pH.

4. The permittee shall remove and properly dispose of all equipment, facilities, and other items used for AOC activities within 120 days after termination, cancellation, or expiration of the permit, unless otherwise authorized by the Department.

5. All terms of the permit shall be subject to all applicable federal and state laws and regulations. The permittee shall comply with all terms of this permit, and with all terms of all other local, state, and federal permits necessary for the permitted activity.

6. Vessels engaged in permitted AOC activities shall have the permit on board the vessel, and the permittee or authorized user shall show the permit upon demand to any duly authorized agent of the Department.

7. The permit may be used only by the named permittee, or by a user authorized by the permittee who holds a valid oyster harvester license and a valid commercial fisherman's license. Persons working under the direction of the permittee or authorized user do not themselves need a permit or authorization. Authorized users engaged in permitted AOC activities shall have written authorization on board the vessel, and shall show the authorization upon demand to any duly authorized agent of the Department.

8. Upon placing any equipment or materials on State water bottoms, and before engaging in permitted AOC activities, the permittee shall comply with the following minimum requirements:

a. Marking, lighting, and warning devices for AOC activities shall, at a minimum, comply with United States Coast Guard regulations and requirements, and with all state and federal laws and regulations, as amended from time to time.

b. All areas where such equipment or materials are present on state water bottoms or in the water column shall be clearly marked.

c. The permittee shall place and maintain markers along the boundaries of the permit area, at intervals of 75 feet, between 3 and 12 feet above the water level.

d. The permittee shall place and maintain markers along the boundaries of the areas where AOC facilities or equipment are actually located, at intervals of 20 feet, between 3 and 12 feet above the water level.

e. The permittee shall place and maintain buoys conforming to United States Coast Guard markings at all corners of the permit area and the areas where AOC equipment or facilities are actually located, and midway between the corners if separated by more than 1000 feet.

f. Each buoy, each main cage, bag, or float, and each structure used for AOC activities shall contain an indelible and permanent tag that includes the AOC permit number.

9. The permittee shall post a surety bond in the amount of \$ 46500 for the removal and disposal of the equipment and materials used for AOC activities, and provide the bond to the Department within 30 days after receipt of the permit and before placing any equipment or materials on State water bottoms.

10. The permittee shall comply with the following additional marking, lighting, and/or warning device requirements:

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11. The permittee shall comply with the following reporting requirements:

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**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL MANAGEMENT**

P.O. BOX 44487  
BATON ROUGE, LOUISIANA 70804-4487  
(225)342-7591  
1-800-267-4019

**COASTAL USE PERMIT/CONSISTENCY DETERMINATION**

**C.U.P. No.:** P20160614

**C.O.E. No.:** MVN 2016-00859 CO

**NAME:** BAYOU ROSA OYSTER FARM  
c/o PITRE, JASON  
130 RUE DE CHENE  
RACELAND, LA 70394  
Attn: Jason Pitre

**LOCATION:** Lafourche Parish, LA  
Lat. 29-14-29.23 N / Long. 90-15-15.56 W (see plats for additional coordinates); Little Lake, Leeville, LA 70357.

**DESCRIPTION:** Proposed commercial oyster farm utilizing on-bottom and floating cages on an existing oyster lease (Lease No. 3426010). The oyster farm will be comprised of up to 700 wire-mesh cages.

In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, the State and Local Coastal Resources Management Act of 1978, as amended, the permittee agrees to:

1. Carry out, perform, and/or operate the use in accordance with the permit conditions, plans and specifications approved by the Department of Natural Resources.
2. Comply with any permit conditions imposed by the Department of Natural Resources.
3. Adjust, alter or remove any structure or other physical evidence of the permitted use if, in the opinion of the Department of Natural Resources, it proves to be beyond the scope of the use as approved or is abandoned.
4. Provide, if required by the Department of Natural Resources, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the Department of Natural Resources determine it necessary.
5. Hold and save the State of Louisiana, the local government, the department, and their officers and employees harmless from any damage to persons or property which might result from the use, including the work, activity, or structure permitted.
6. Certify that the use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the Department of Natural Resources. The Department of Natural Resources may, when appropriate, require such certification to be given by a registered professional engineer.
7. All terms of the permit shall be subject to all applicable federal and state laws and regulations.
8. This permit, or a copy thereof, shall be available for inspection at the site of work at all times during operations.
9. The applicant will notify the Office of Coastal Management of the date on which initiation of the permitted activity described under the "Coastal Use Description" began. The applicant shall notify the Office of Coastal Management by entering a commencement date through the online system, or by mailing said information to OCM.
10. Unless specified elsewhere in this permit, this permit authorizes the initiation of the coastal use described under "Coastal Use Description" for two years from the date of the signature of the Secretary or his designee. If the coastal use is not initiated within this two year period, then this permit will expire and the applicant will be required to submit a new application. Initiation of the coastal use, for the purposes of this permit, means the actual physical beginning of the use of activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the coastal use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, the permittee must, in good faith, and with due diligence, reasonably progress toward completion of the project once the coastal use has been initiated.
11. The following special conditions must also be met in order for the use to meet the guidelines of the Coastal Resources Program:
  - a. This permit does not convey any property rights, mineral rights, or exclusive privileges; nor does it authorize injury to property.
  - b. The water bottom shall not be disturbed during access to the proposed work location, other than that authorized and shown on the attached project plats, whether it be by dredging, wheel washing, propwashing, jetting, mucking, plowing, bull dozing or any other means of moving bottom material. Powered vessels shall be operated so as not to disturb the water bottom by propeller or jet action.





- c. That permittee shall insure that all sanitary sewage and/or related domestic wastes generated during the subject project activity and at the site, thereafter, as may become necessary shall receive the equivalent of secondary treatment (30 mg/l BOD5) with disinfection prior to discharge into any of the streams or adjacent waters of the area or, in the case of total containment, shall be disposed of in approved sewerage and sewage treatment facilities, as is required by the State Sanitary Code. Such opinion as may be served by those comments offered herein shall not be construed to suffice as any more formal approval(s) which may be required of possible sanitary details (i.e. provisions) scheduled to be associated with the subject activity. Such shall generally require that appropriate plans and specifications be submitted to the Department of Health and Hospitals for purpose of review and approval prior to any utilization of such provisions.
- d. The area where the project is located is all part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.
- e. All structures built under the authorization and conditions of this permit shall be removed from the site within 120 days of abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
- f. Structures must be marked/lighted in accordance with U. S. Coast Guard regulations.
- g. Applicant shall not discharge any drilling and/or workover effluent except for flocculated filtered water.  
  
Applicant shall not discharge any human waste which does not meet or exceed the requirements of the Department of Health and Hospitals.  
  
Applicant shall not discharge any produced waters.  
  
Applicant is subject to all applicable state laws related to damages which are demonstrated to have been caused by this proposed action.  
  
Applicant shall use any dredged material beneficially to create/restore emergent wetlands or place the material in open water in such a manner not to decrease the water depth greater than six inches.  
  
Applicant shall provide to the LDWF a water bottom assessment (unless waived by LDWF) that meets LDWF protocol prior to commencement of the activity. A waiver request must be submitted to LDWF in writing and must state the justification for the request. Applicant may, at the request of LDWF and prior written approval of OCM, be required to modify the project if the proposed location unnecessarily impacts oyster reefs.
- h. Permittee is subject to all applicable state laws related to damages which are demonstrated to have been caused by this action.
- i. Permittee shall allow representatives of the Office of Coastal Management or authorized agents to make periodic, unannounced inspections to assure the activity being performed is in accordance with the conditions of this permit.
- j. Permittee shall comply with all applicable state laws regarding the need to contact the Louisiana One Call (LOC)





system (1-800-272-3020) to locate any buried cables and pipelines.

- k. This permit authorizes the initiation of the Coastal Use described under "Coastal Use Description" for two (2) years from the date of the signature of the Secretary or his designee. Initiation of the Coastal Use, for purposes of this permit, means the actual physical beginning of the use or activity for which the permit is required. Initiation does not include preparatory activities, such as movement of equipment onto the Coastal Use site, expenditure of funds, contracting out of work, or performing activities which by themselves do not require a permit. In addition, Permittee must, in good faith and with due diligence, reasonably progress toward completion of the project once the Coastal Use has been initiated. If the Coastal Use is not initiated within this two (2) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (Title 43:1.723.D.). Please note that a request for permit extension MUST be made no sooner than one hundred eighty (180) days and no later than sixty (60) days prior to the expiration of the permit.

The expiration date of this permit is five (5) years from the date of the signature of the Secretary or his designee. If the Coastal Use is not completed within this five (5) year period, an extension may be granted pursuant to the requirements contained in the Rules and Procedures for Coastal Use Permits (LAC 43:1.723(D)).

Upon expiration of this permit, a new Coastal Use Permit will be required for completion of any unfinished or uncommenced work items and for any maintenance activities involving dredging or fill that may become necessary. Other types of maintenance activities may also require a new Coastal Use Permit.

- l. This determination does not eliminate the need to obtain a permit from the United States Army, Corps of Engineers or any other Federal, state or local approval that may be required by law. The drawings submitted with your referenced application are attached hereto and made a part of the record.

\*\*\*\*\* End of Conditions \*\*\*\*\*

By accepting this permit the applicant agrees to its terms and conditions.

I affix my signature and issue this permit this 25th day of August, 2016.

THE DEPARTMENT OF NATURAL RESOURCES

A handwritten signature in black ink that reads "Karl L. Morgan".

Karl L. Morgan, Administrator  
Office of Coastal Management

This agreement becomes binding when signed by Administrator of  
the Office of Coastal Management Permits/Mitigation Division, Department of Natural Resources.

Attachments



**Final Plats:**

1) P20160614 Final Plats 08/22/2016

cc: Martin Mayer, COE w/attachments  
Dave Butler, LDWF w/attachments  
Jessica Diez, OCM w/attachments  
Kirk Kilgen, OCM/FI w/attachments  
Lafourche Parish w/attachments

BAYOU ROSA OYSTER FARM w/attachments



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVENUE  
NEW ORLEANS, LOUISIANA 70118

REPLY TO  
ATTENTION OF

FEB 06 2017

Operations Division  
Central Evaluation Section

SUBJECT: MVN-2016-00859-CO

Bayou Rosa Oyster Farm  
130 Rue De Chene  
Raceland, Louisiana 70394:

Gentlemen:

Enclosed is a permit dated this date, subject as above, authorizing work under the Department of the Army permit program.

You are again reminded that any work not in accordance with the approved plans is subject to removal regardless of the expense and the inconvenience that such removal may involve and regardless of the date when the discrepancy is discovered.

Your attention is directed to all the terms and conditions of the approval. In order to have the work approved in accordance with the issued permit, all terms and conditions of the permit and plans shown on the drawings attached thereto must be rigidly adhered to.

It is necessary that you notify the District Engineer, Attention: Central Evaluation Section, in writing, prior to commencement of work and also upon its completion. The notification must include the permittee's name, as shown on the permit, and the permit number. Please note the expiration date on the permit. Should the project not be completed by that date, you may request a permit time extension. Such requests must be received before, but no sooner than six months before, the permit expiration date and must show the work completed and the reason the project was not finished within the time period granted by the permit.

A copy of Page 1 of the permit (ENG Form 1721) must be conspicuously displayed at the project site. Also, you must keep a copy of the signed permit at the project site until the work is completed.

Sincerely,

John M. Herman  
Chief, Central Evaluation Section

Enclosure



## DEPARTMENT OF THE ARMY PERMIT

FEB 06 2017

Permittee: Bayou Rosa Oyster Farm

Permit No.: MVN-2016-00859-CO

Issuing Office: New Orleans District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**PROJECT DESCRIPTION:** Install pilings and ropes to secure 700 wire-mesh oyster cages for oyster farming. In accordance with drawings attached in 10 sheets, sheet 1 through 10 August 29, 2016.

**PROJECT LOCATION:** Latitude 29.241452778, longitude -90.254322; on an existing oyster lease (Lease No. 3426010) in Little Lake, near Leesville, Louisiana, within Lafourche Parish.

### Permit Conditions:

#### General Conditions:

1. The time limit for completing the work authorized ends on **31 January 2022**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions: Page 4**

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- ☒ Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- ☐ Section 404 of the Clean Water Act (33 U.S.C. 1344).
- ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.



4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- You fail to comply with the terms and conditions of this permit.
- The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

X Jason P. [Signature]  
(PERMITTEE)

X 1/4/17  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

John M. Herman

6 Feb 2017  
(DATE)

John M. Herman, Chief, Central Evaluation Section

for Michael N. Clancy, District Commander

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

**SPECIAL CONDITIONS for: MVN 2016-00859-CO**

7. Permittee shall comply with the enclosed *Standard Manatee Conditions for In-Water Activities*.
8. If archaeological materials and/or human remains are discovered during ground disturbing activities, you shall cease and desist all activities in the project area and contact this office and the Louisiana Office of Cultural Development, Division of Archaeology at (225) 342-6932.
9. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
10. The use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
11. Permittee must install and maintain, at permittee's expense, any safety lights, signs and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on the authorized facilities.



## **STANDARD MANATEE CONDITIONS FOR IN-WATER ACTIVITIES**

During in-water work in areas that potentially support manatees, all personnel associated with the project shall be instructed and aware of the potential presence of manatees, manatee speed zones, and the need to avoid collisions with, and injury to, manatee. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel shall be instructed not to attempt to feed or otherwise interact with the animal.

All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). To minimize potential impacts to manatees in areas of their potential presence, the permittee shall insure the following are adhered to:

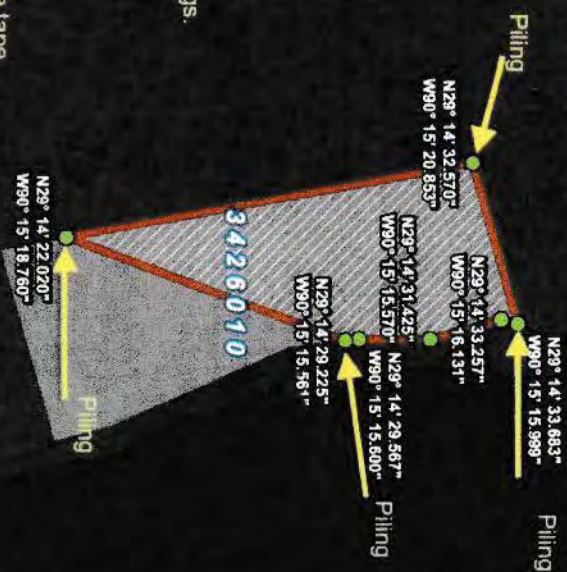
- All work, equipment, and vessel operation shall cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- If a manatee(s) is sighted in or near the project area, all vessels associated with the project shall operate at "no wake/idle" speeds within the construction area and at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels shall follow routes of deep water whenever possible.
- If used, siltation or turbidity barriers shall be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- Temporary signs concerning manatees shall be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities shall display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8½" X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSTRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½" X 11" shall be posted at a location prominently visible to all personnel engaged in water-related activities and shall read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".
- Collisions with, injury to, or sightings of manatees shall be immediately reported to the U.S. Fish and Wildlife Service's, Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.

There will be a total of 4 wooden pilings.

There will be a total of 4 wooden pilings. Each wooden piling will be 6"-8" in diameter and be between 3' and 12" above water level.

1-2" diameter PVC pipes with reflective tape

will be placed along the boundaries of the permit area at intervals of 20' and be between 3' & 12' above water level



CO 10  
2016-08259  
3 of 8  
8/29/16  
MUN



# Oyster Farm Layout

Piling

Piling

700 Cages total

500 on Bottom  
200 Floating

1081'

444'

400'  
20 Rows

300  
On Bottom  
Cages

15 Rows

300'

Floating Cage Anchor

10 Rows

200  
Floating  
Cages

Floating Cage Anchor

40  
On Bottom  
Cages

Piling

Floating Cage Anchor

320'

380'

Floating Cage Anchor

160  
On Bottom  
Cages

461'

Piling

MVN 2016-00859 CO  
8/29/16 4 of 10

The maximum distance between cages will be no more than 1000'.

## Floating cages

The farm will consist of 200 floating cages. There will be 20 longlines consisting of 10 cages/line.

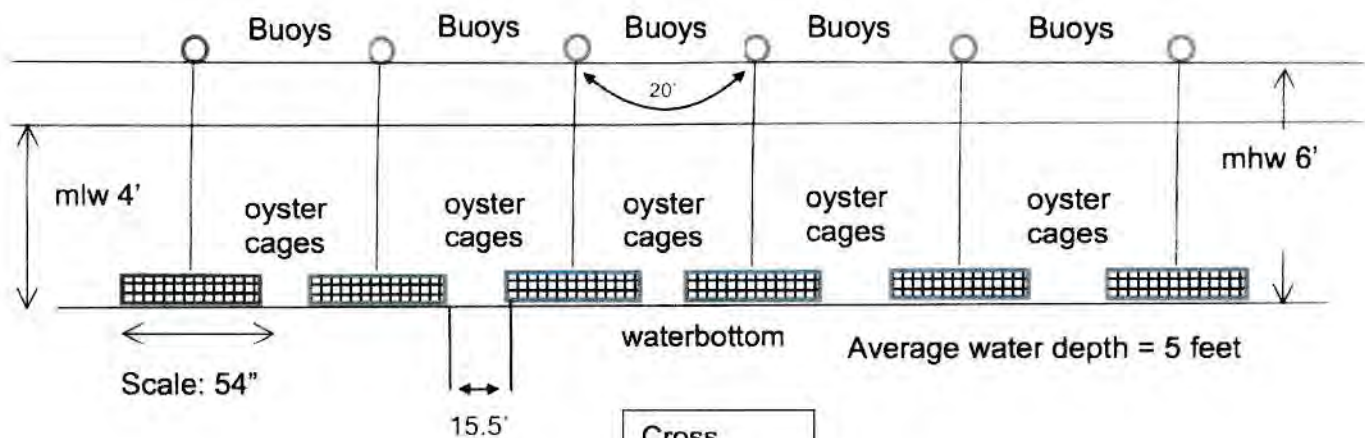
Each longline is secured with 2 anchors. There will be a total of 40 anchors. Each anchor will be marked with 2" PVC pipe with reflective tape.

## On Bottom Cages

There will be a total of 500 cages that sit on the bottom of the seabed. Each cage weighs over 75 lbs.

The weight of the cage will anchor it to the seabed.



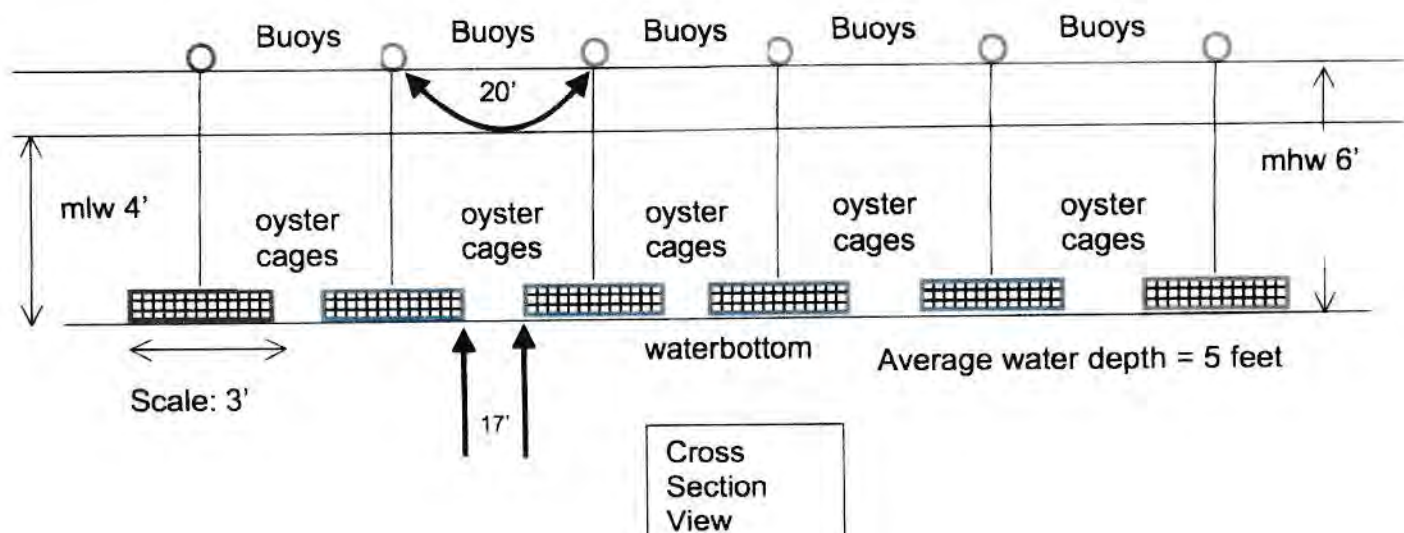


Distance between cages  
=15.5'

Distance between Bouys  
=20'

Each cage will weigh over 75lbs. The weight of the cage will anchor it to the seabed.

MVN 2016-00859 CO  
8/29/16 5 of 10



Distance between cages= 17'

Distance between bouys= 20'

Each cage will weigh over 75lbs.  
The weight of the cage will anchor it to the seabed

MVN 2016-00859 CO  
8/29/14 6 of 10



## Layout of Long Lines

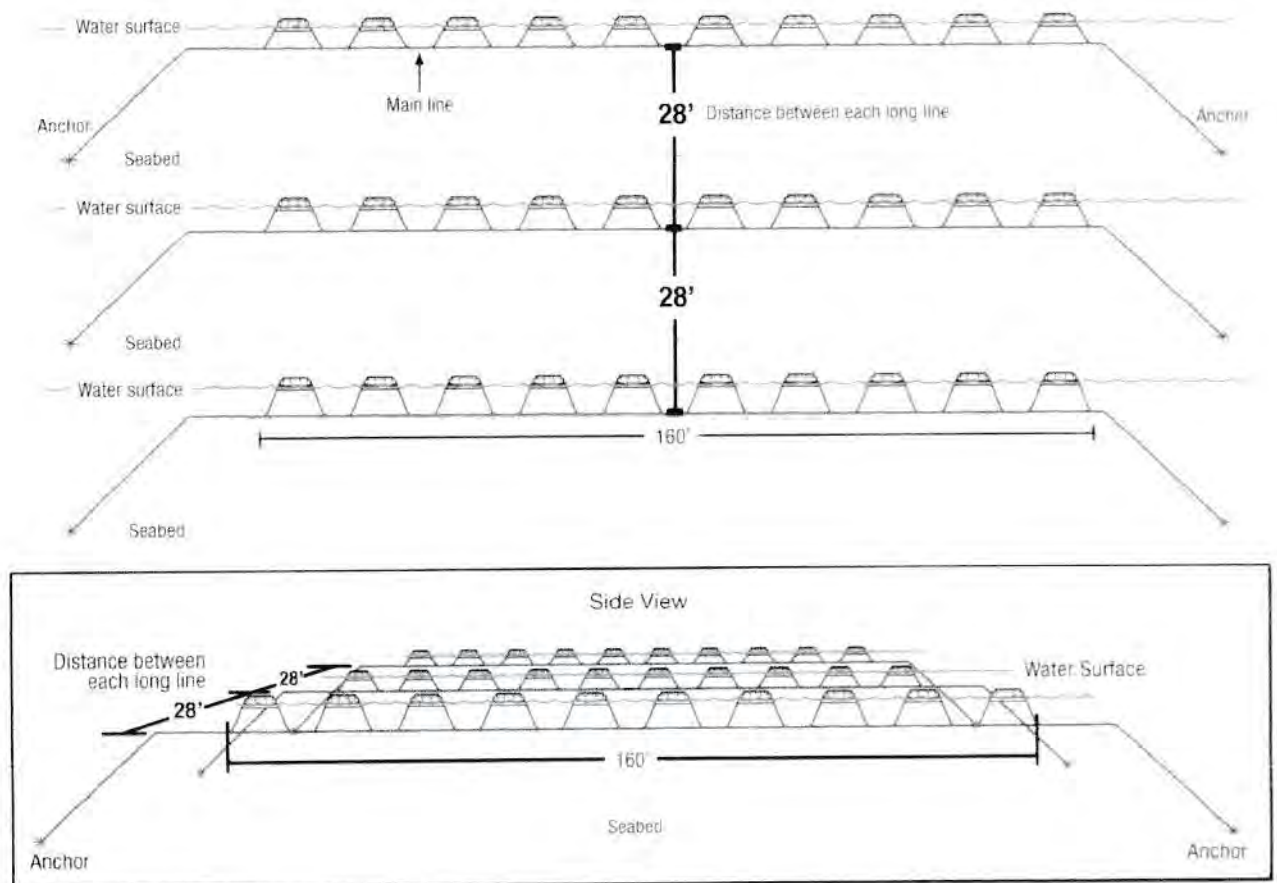
A typical long line consists of one individual row of 10 to 12 OysterGro Units (view figure II). The units are linked together with 3/8" ropes (view figure III). Proper anchorage is necessary to hold the units to the seabed. A long line is about 160 ft long and rule of thumb, 100 OysterGro cages can be set on a one-acre lot.

The distance between the long lines must be sufficient to allow for navigation and to provide easy access when tending to the cages - 28 feet is suggested.

Bouctouche Bay Industries Ltd will supply a rope kit to new growers. This kit can be used as a model.

Figure II – Long lines

This figure shows the layout of 3 - 10 OysterGro cages long lines on the water surface.



Revised date: 04/13/09

MUN 2016-00859 CO  
8/29/16 8 of 10

These diagrams show the rope system.

2" PVC Pipe with reflective orange/black tape  
Marking anchor location

MHW---+1.5'  
MLW--- 0.0'

6' Long x 6" dia.

Galvanized Auger Anchor  
at each end of longline

5.5' deep

Loop to  
tighten line

1-3'

3/8" rope

4-6'

3'

Lateral lines

5.6'

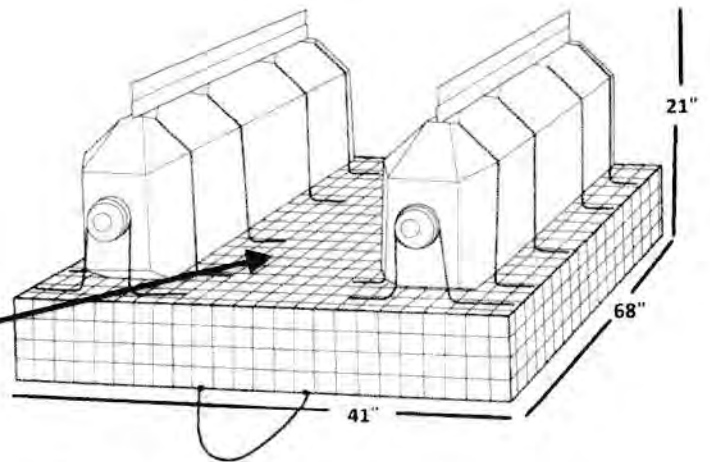
2-4'

Leaded 3/8" rope

Seabed

ID Tag  
Each cage will have a 1.75" x 0.75" ID tag  
with the following information:

Bayou Rosa Oyster Farm  
Permit Number: xxxxxxxx  
Cage Number: xxx  
IF FOUND CALL: xxx-xxx-xxxx

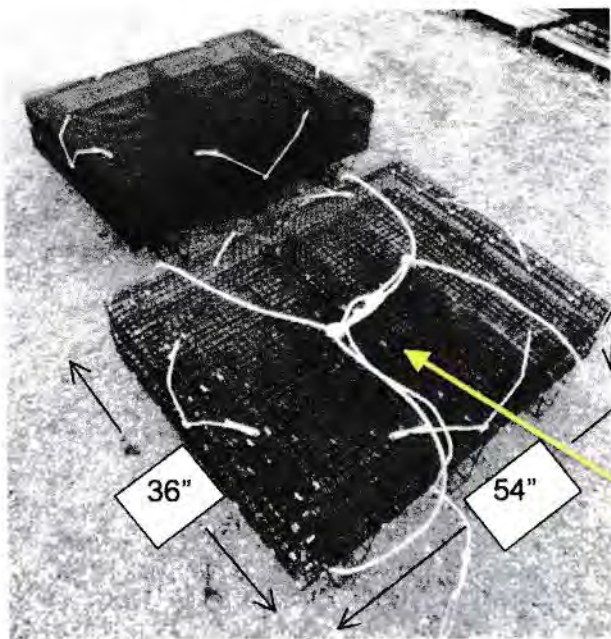


3/8" dia. Rope bridle on each ends.

3/8" dia. Lateral lines are attached to rope bridle

- 200 Floating Cages total
- 20 Longlines of 10 cages/line
- 40 Anchors

MVN 2016-00859 CO  
8/29/16 9 of 10



Two-tiered oyster cage made of 1" square PVC-coated wire mesh with guy ropes for lifting and shock cord for closures and 1/2" rope handline with buoy.

ID Tag  
Each cage will have a 1.75" x 0.75" ID tag with the following information:

Bayou Rosa Oyster Farm  
Permit Number: xxxxxxxx  
Cage Number: xxx  
IF FOUND CALL: xxx-xxx-xxxx

MVN 2016-00859 CO  
8/29/16 10 of 10



DEPARTMENT OF HOMELAND SECURITY  
U.S. Coast Guard

PRIVATE AIDS TO NAVIGATION APPLICATION

(See attached instructions and copy of Code of Federal Regulations, Title 33, Chap. 1, Part 66)

OMB Approval 1625-0011  
Expiration Date 12/31/2017

NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 CFR. 66.01-5).

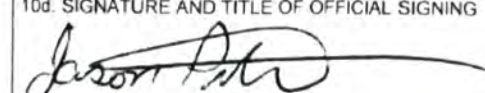
1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION:	<input checked="" type="checkbox"/> A. ESTABLISH AND MAINTAIN	<input type="checkbox"/> B. DISCONTINUE	<input type="checkbox"/> C. CHANGE	<input type="checkbox"/> D. TRANSFER OWNERSHIP	2. DATE ACTION TO START: July 1, 2017
3. AIDS WILL BE OPERATED:	<input checked="" type="checkbox"/> A. YEAR-ROUND	<input type="checkbox"/> B. TEMPORARILY UNTIL	<input type="checkbox"/> C. SEASONAL FROM TO		
4. NECESSITY FOR AID (Continue in Block 8) Oyster Farm	5. GENERAL LOCALITY Little Lake, LA		6. AUTHORIZING PERMIT FOR THIS STRUCTURE OR BUOY USACE <input checked="" type="checkbox"/> PERMIT AND/OR STATE <input type="checkbox"/> PERMIT (Valid Permit Number)		


FOR DISTRICT COMMANDERS ONLY			7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS								REMARKS (See instructions) (7j)
LIGHT LIST NUMBER	NAME OF AID	NO OR LTR (7a)	LIGHT			POSITION (7e)	DEPTH OF WATER (7f)	CANDELA (7g)	FOCAL PLANE HEIGHT (7h)	STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)	
			FLASH PERIOD (7b)	FLASH LENGTH (7c)	COLOR (7d)						
17368	BAYOU ROSA OYSTER FARM SPECIAL LIGHTS (4)		0.3	2.2	Y	N 29 14'32.570 W 90 15'20.853	5-8FT			Wooden Piling 3'	"A" Labeled Piling
			0.3	2.2	Y	N 29 14'33.683 W 90 15'15.999	5-6FT			Wooden Piling 3'	"B" Labeled Piling
			0.3	2.2	Y	N 29 14'29.567 W 90 15'15.600	5-6FT			Wooden Piling 3'	"C" Labeled Piling
			0.3	2.2	Y	N 29 14'22.020 W 90 15'18.760	5-6FT			Wooden Piling 3'	"D" Labeled Piling

APPROVED

8. ADDITIONAL COMMENTS

Yellow flash characteristic; FLY 2.5S. Minimum INM visibility, CG approved marine lantern.

9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF THE AID(S) Jason Pitre 147 E 156th St, Galliano, LA 70354	10a. NAME AND ADDRESS OF PERSON OR CORPORATION AT WHOSE EXPENSE THE AID(S) WILL BE MAINTAINED Bayou Rosa Oyster Farm 130 Rue De Chene, Raceland, LA 70394	10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OR CLAIMS THAT MAY RESULT ARISING FROM THE ALLEGED NEGLIGENCE OF THE MAINTENANCE OR OPERATION OF THE APPROVED AID(S).
9b. TELEPHONE NO (985) 665-1276	10c. DATE 5/13/2017	10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING 
9c. E-MAIL ADDRESS nativerhythms@yahoo.com		

FOR USE BY DISTRICT COMMANDER		RECD	DATE APPROVED	SIGNATURE (By direction)
SERIAL NO	CLASSIFICATION OF AIDS(S) I	CHART 11346, 11357, 11365	5/24/17	 38 (dpw)
		LNM 22/17		

**LIGHT EMITTING DIODE (LED) OBSTRUCTION LIGHTS SHALL HAVE A MINIMUM INTENSITY RATING OF 125 CANDELA RATING FOR A 5 NM LIGHT, 25 CANDELA RATING FOR A 3 NM LIGHT AND 1 CANDELA RATING FOR A 1 NM LIGHT. MANUFACTURERS ARE REQUIRED TO PROVIDE PROOF OF MINIMUM INTENSITY RATINGS TO THE U.S. COAST GUARD AND CUSTOMER UPON REQUEST.**

"TO RETAIN THIS APPROVAL YOUR CLASS I PRIVATE AIDS TO NAVIGATION MUST BE SELF INSPECTED AND MAINTAINED IN ACCORDANCE WITH 33 CFR PART 68. A REPORT SHALL BE MADE ANNUALLY TO THE EIGHTH COAST GUARD DISTRICT, WATERWAYS BRANCH, PRIVATE AIDS TO NAVIGATION SECTION VIA EMAIL TO: D8OANPATONG@USCG.MIL OR MAIL TO: EIGHTH COAST GUARD DISTRICT (DPW), 500 POYDRAS STREET, NEW ORLEANS, LA 70130."

"ANY CHANGES IN BLOCKS 1 THRU 10 SHALL IMMEDIATELY BE REPORTED TO THE EIGHTH COAST GUARD DISTRICT, WATERWAYS BRANCH, PRIVATE AIDS TO NAVIGATION SECTION VIA EMAIL TO: D8OANPATONG@USCG.MIL OR MAIL TO: EIGHTH COAST GUARD DISTRICT (DPW), 500 POYDRAS STREET, NEW ORLEANS, LA 70130."

THE UNITED STATES SHALL IN NO CASE BE LIABLE FOR ANY DAMAGE OR INJURY TO THE STRUCTURE OR WORK HEREIN AUTHORIZED WHICH MAY BE CAUSED BY OR RESULT FROM FUTURE OPERATIONS UNDER TAKEN BY THE GOVERNMENT FOR THE CONSERVATION OR IMPROVEMENT OF NAVIGATION, OR FOR OTHER PURPOSES AND NO CLAIM OR RIGHT TO COMPENSATION SHALL ACCRUE FROM ANY SUCH DAMAGE.

REMOVED